



# **Charter of the United Nations (Sanctions — Liberia) Regulations 2002**

**Statutory Rules 2002 No. 61 as amended**

made under the

*Charter of the United Nations Act 1945*

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taking into account amendments up to SR 2003 No. 167

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## Part 1                      Introductory

### 1                      **Name of Regulations** [see Note 1]

These Regulations are the *Charter of the United Nations (Sanctions — Liberia) Regulations 2002*.

### 2                      **Commencement** [see Note 1]

These Regulations commence on gazettal.

### 3                      **Object**

The object of these Regulations is to assist in giving effect to Resolution 1343 (2001) and Resolution 1478 (2003) of the Security Council of the United Nations, concerning Liberia, by:

- (a) preventing a person in Australia, or a citizen of Australia who is outside Australia, from doing anything that assists, or results in:
  - (i) arms or related matériel being sold or supplied to a place in Liberia; or
  - (ii) technical training or other assistance in relation to the provision, manufacture, maintenance or use of arms or related matériel being given to a person in Liberia; or
  - (iii) rough diamonds being imported into Australia from Liberia; or
  - (iv) round logs or timber products being imported into Australia from Liberia; and
- (b) preventing the use of Australian aircraft or ships in relation to a matter mentioned in subparagraph (a) (i).

### 4                      **Extra-territorial operation of Regulations**

These Regulations have extra-territorial operation according to their terms.

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**Regulation 5**

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**5 Application of *Criminal Code***

Chapter 2 of the *Criminal Code* applies to all offences created by these Regulations.

*Note 1* Chapter 2 of the *Criminal Code* sets out the general principles of criminal responsibility.

*Note 2* For the meaning of *strict liability*, see section 6.1 of the *Criminal Code*.

**6 Definitions**

*arms or related matériel* includes:

- (a) weapons; and
- (b) ammunition; and
- (c) military vehicles and equipment; and
- (d) paramilitary equipment; and
- (e) spare parts for the things mentioned in paragraphs (a) to (c).

*Australian aircraft* means an aircraft registered in Australia under the *Civil Aviation Act 1988*.

*Australian ship* means a ship registered in Australia under the *Shipping Registration Act 1981*.

*Committee* means the committee established under paragraph 14 of Resolution 1343.

*engage in conduct* means do an act or omit to perform an act.

*paramilitary equipment* means any of the following:

- (a) batons, clubs, riot sticks and similar devices of a kind used for law enforcement purposes;
- (b) body armour, including:
  - (i) bullet-resistant apparel; and
  - (ii) bullet-resistant pads; and
  - (iii) protective helmets;
- (c) handcuffs, leg-irons and other devices used for restraining prisoners;
- (d) riot protection shields;
- (e) whips;

**Regulation 6**

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- (f) parts and accessories designed or adapted for use in, or with, equipment mentioned in paragraphs (a) to (e).

***protective clothing*** includes protective military jackets and helmets.

***Resolution 1343*** means Resolution 1343 (2001) of the Security Council of the United Nations.

**Regulation 7**

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**Part 2                      Restriction on supply of arms  
etc****7                      Application of Part**

This Part applies to a person in Australia or a citizen of Australia who is outside Australia.

**8                      Restriction on sale of arms etc**

- (1) A person must not engage in conduct that:
- (a) assists, or results in, the sale or supply of arms or related matériel to a place in Liberia; and
  - (b) is not in accordance with an approval given in advance, under subparagraph 5 (c) of Resolution 1343, by the Committee.

Penalty: 50 penalty units.

- (2) Strict liability applies to paragraph (1) (b).
- (3) This regulation does not apply in relation to the sale or supply of protective clothing to a place in Liberia, if the clothing is intended to be worn only by:
- (a) a member of the personnel of the United Nations; or
  - (b) a representative of the media; or
  - (c) a humanitarian or development worker or an associated person.

**9                      Restriction on provision of technical assistance etc**

- (1) A person must not engage in conduct that:
- (a) assists, or results in, the sale or supply to a person in Liberia of technical training or other assistance in relation to the provision, manufacture, maintenance or use of arms or related matériel; and

**Regulation 10A**

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(b) is not in accordance with an approval given in advance, under subparagraph 5 (c) of Resolution 1343, by the Committee.

Penalty: 50 penalty units.

(2) Strict liability applies to paragraph (1) (b).

**10 Prohibition on importation of rough diamonds**

A person must not engage in conduct that assists, or results in, rough diamonds being imported into Australia from Liberia.

Penalty: 50 penalty units.

**10A Importation of round logs and timber products**

A person must not engage in conduct that assists, or results in, round logs or timber products being imported into Australia from Liberia.

Penalty: 50 penalty units.

**Regulation 11**

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## **Part 3                      Restriction on use of Australian aircraft and ships**

### **Division 3.1                Restriction on use of aircraft**

#### **11                      Use of aircraft for transfer of arms and related matériel**

- (1) The owner, pilot in command or operator of an Australian aircraft must not allow the aircraft to be used in a way that:
  - (a) assists, or results in, the sale or supply of arms or related matériel to a place in Liberia; and
  - (b) is not in accordance with an approval given in advance, under subparagraph 5 (c) of Resolution 1343, by the Committee.

Penalty: 50 penalty units.

- (2) Strict liability applies to paragraph (1) (b).
- (3) This regulation does not apply in relation to the sale or supply of protective clothing to a place in Liberia, if the clothing is intended to be worn only by:
  - (a) a member of the personnel of the United Nations; or
  - (b) a representative of the media; or
  - (c) a humanitarian or development worker or an associated person.

### **Division 3.2                Restriction on use of ships**

#### **14                      Use of ships for transfer of arms and related matériel**

- (1) The owner, master or operator of an Australian ship must not allow the ship to be used in a way that:
  - (a) assists, or results in, the sale or supply of arms or related matériel to a place in Liberia; and

**Regulation 14**

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- (b) is not in accordance with an approval given in advance, under subparagraph 5 (c) of Resolution 1343, by the Committee.

Penalty: 50 penalty units.

- (2) Strict liability applies to paragraph (1) (b).
- (3) This regulation does not apply in relation to the sale or supply of protective clothing to a place in Liberia, if the clothing is intended to be worn only by:
- (a) a member of the personnel of the United Nations; or
  - (b) a representative of the media; or
  - (c) a humanitarian or development worker or an associated person.

**Table of Statutory Rules**

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**Notes to the *Charter of the United Nations (Sanctions — Liberia) Regulations 2002***

**Note 1**

The *Charter of the United Nations (Sanctions — Liberia) Regulations 2002* (in force under the *Charter of the United Nations Act 1945*) as shown in this compilation comprise Statutory Rules 2002 No. 61 amended as indicated in the Tables below.

**Table of Statutory Rules**

| <b>Year and number</b> | <b>Date of notification in <i>Gazette</i></b> | <b>Date of commencement</b> | <b>Application, saving or transitional provisions</b> |
|------------------------|---|-----------------------------|---|
| 2002 No. 61            | 5 April 2003                                  | 5 April 2003                |   |
| 2003 No. 167           | 2 July 2003                                   | 7 July 2003                 | —   |

**Table of Amendments**

**Table of Amendments**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

| <b>Provision affected</b> | <b>How affected</b> |
|---------------------------|---------------------|
| <b>Part 1</b>             |                     |
| R. 3 .....                | am. 2003 No. 167    |
| <b>Part 2</b>             |                     |
| R. 10A.....               | ad. 2003 No. 167    |
| <b>Part 3</b>             |                     |
| <b>Division 3.1</b>       |                     |
| R. 12.....                | rep. 2003 No. 167   |
| R. 13.....                | rep. 2003 No. 167   |
| <b>Part 4</b>             |                     |
| <b>Division 3.2</b>       |                     |
| R. 15.....                | rep. 2003 No. 167   |
| R. 16.....                | rep. 2003 No. 167   |